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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION
12

13 UNITED STATES OF AMERICA,) NO. CR 17-394 EMC
14 Plaintiff,)
15 v.)
16 JOSEPH RIVERA, a/k/a "Joey," and OSCAR) STIPULATION TO SET STATUS CONFERENCE
17 VANEGAS,) DATE AND TO EXCLUDE TIME AND
18 Defendants.) [PROPOSED] ORDER
19)

20 **STIPULATION**

21 The above-captioned matter was originally assigned to the Honorable United States District
22 Judge Vince Chhabria. On August 22, 2017, this Court entered a Related Case Order finding that this
23 case is related to several others within the meaning of Criminal Local Rule 8-1(b).¹ The Court's order
24 vacated all matters presently scheduled for hearing and directed the parties to re-notice such matters for
25 hearing before this Court.

26 Accordingly, IT IS HEREBY STIPULATED, by and between the parties to this action, that the
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28 ¹ See Case No. CR 17-391 EMC, ECF No. 16.

1 status conference in the above-captioned matter shall be set for **September 13, 2017, at 2:30 pm.**

2 IT IS FURTHER STIPULATED that the time between the filing of this stipulation on August
3 29, 2017, and the status conference on September 13, 2017, be excluded under the Speedy Trial Act
4 pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B). Excluding time until September 13, 2017, will
5 allow defense counsel the reasonable time necessary for effective preparation, taking into account the
6 exercise of due diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv).

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8 IT IS SO STIPULATED.

9 DATED: August 29, 2017

BRIAN J. STRETCH
United States Attorney

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11 /s/
JULIE D. GARCIA
12 Assistant United States Attorney

13 DATED: August 29, 2017

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15 /s/
CANDIS MITCHELL
16 Counsel for Defendant
JOSEPH RIVERA
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~~PROPOSED~~ ORDER

It is hereby ORDERED that the status conference in the above-captioned matter be set for September 13, 2017, at 2:30 pm.

It is further ORDERED that the time from August 29, 2017, until September 13, 2017, be excluded under the Speedy Trial Act pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B). The Court finds that the exclusion of the period from August 29, 2017, to September 13, 2017, from the time limits applicable under 18 U.S.C. § 3161, is warranted; that the ends of justice served by the continuance outweigh the interests of the public and the defendant in the prompt disposition of this criminal case; and that the failure to grant the requested exclusion of time would unreasonably deny defense counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice. See 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

IT IS SO ORDERED.

DATED: 8/31/17

